State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

CLEANUP AND ABATEMENT ORDER NO. 98-065

REQUIRING CAL-STYLE FURNITURE MANUFACTURING COMPANY, A WHOLLY OWNED SUBSIDIARY OF MASCO CORPORATION, TO CLEANUP AND ABATE THE EFFECTS OF CONTAMINANTS DISCHARGED TO SOIL AT THE PLATING AREA OF THE FORMER CAL-STYLE FURNITURE MANUFACTURING FACILITY LOCATED AT 3015 EAST ANA STREET, COMPTON, CALIFORNIA

(File No. 98-086)

The California Regional Water Quality Control Board, Los Angeles Region (hereinafter the Regional Board), finds that:

1. The subject property covered by this Order is located at 3015 East Ana Street, Compton, California. The property is bordered to the south by East Ana Street and to the west by Reyes Avenue. Santa Fe Avenue and East Victoria Street are the nearest streets to the north, and South Susana Road is to the east. The nearest large flood control channels include the Los Angeles River located approximately 0.7 miles to the east of the property; and Compton Creek located approximately 0.2 miles to the west. Smaller flood control structures exist along the northern property boundary and east of the Sta-Lube, Inc. manufacturing facility located at 3039 East Ana Street. Storm water is currently conveyed from the former plating area to East Ana Street along the southern property boundary. This , in turn is carried east to the larger flood control channel adjacent to the Sta-Lube facility.

2. The property covers 14 acres and consists of manufacturing buildings and facilities formerly associated with the production of metal and wood furniture. The property is not currently being utilized commercially. The area of the property that is the subject of this Order is the former plating room area (hereinafter the Site). Residential areas near the Site proximity exist east of the Los Angeles River; south of Del Amo Boulevard; west of Compton Creek; and north of East Victoria Street.

3. Cal-Style Furniture Manufacturing Company is currently redeveloping the property into a commercial facility. The area of the former plating room will be developed into warehousing and truck loading areas.

4. Cal-Style Furniture Manufacturing Company (hereinafter the discharger) is named as the discharger because it is the current owner and entity

responsible for the release of chemicals to the soil at the Site. If additional information is submitted indicating that other parties caused or permitted any waste to be discharged on the Site where it entered or could have entered waters of the State, the Board will consider adding these parties to this Order.

5. Cal-Style Furniture Manufacturing Company, a California Corporation, agrees to assume responsibility for compliance with this Order regardless of any property transaction. Cal-Style Furniture Manufacturing Company is a wholly owned subsidiary of Masco Corporation. Masco Corporation would be responsible for compliance with this Order in the event Cal-Style Furniture Manufacturing Company is unable to meet the requirements of this Order.

6. The former plating area of the Site is underlain by fine-grained material (silt and clay) with interbedded fine sands. Between 48-50 feet below ground surface (bgs), first groundwater was encountered in a fine to medium-grained sand unit below the upper fine-grained unit. Fine gravels were interbedded in the water bearing sand unit to 60 feet bgs. However, the Regional Board finds that additional hydrogeologic investigation is needed at the Site: 1) to better determine the nature of the first groundwater as it relates to deeper groundwater; 2) to determine the stratigraphy below the first groundwater; and 3) to determine groundwater gradient in the first groundwater.

7. Soil and groundwater investigations began in 1990 at the former plating and nickel filtration areas (northern portion of the plating area). Masco Corporation retained consultants to investigate the nature of the chemical releases to soil at the Site, which resulted in sampling and analyzing samples from 28 soil borings and six grab groundwater locations. Historically, the principal chemicals detected at the former plating area are metals, primarily nickel and chromium. Nickel concentrations in the soil at the former plating area ranged from non-detect to 20,000 milligrams per kilogram (mg/kg) at 6 inches bgs. Hexavalent chromium in the soil at the former plating area ranged from non-detect (<1 mg/kg) to 3,800 mg/kg (at 5.0 feet bgs). Total chromium in the soil at the former plating area ranged from 10 mg/kg to 16,000 mg/kg (at 6.5 feet bgs). The vertical profile of contaminant concentrations is somewhat complex (i.e., contaminant concentrations in soil do not consistently decrease with depth). Based on soil analytical results, it appears that a *clean zone* of soil extends from between 25 and 35 feet bgs (with the exception of two samples having

hexavalent chromium concentrations of 1.88 and 7.26 mg/kg at 30 feet bgs). At 35 feet bgs, hexavalent chromium levels were all less than the reporting limit (<1 mg/kg). Soil samples from the former plating room were also analyzed for leachable chromium using the Synthetic Precipitation Leaching Procedure (SPLC) method. Hexavalent chromium in SPLC leachate ranged from less than the reporting limit (0.01 mg/l) to 211 mg/l with concentrations generally less than 0.01 mg/l below 35 feet bgs.

8. During the shallow groundwater investigation in the plating area, first groundwater was encountered from 48 to 50 feet bgs, or about 13 to 25 feet below soil containing hexavalent chromium at levels above the reporting limit. Samples collected of first groundwater did not contain the metals of concern at levels exceeding background. Groundwater samples collected using *push-type* methods at six locations on the subject site did not contain levels of dissolved total metal concentrations for chromium, nickel, copper and zinc above reporting limits for these metals [0.01 milligrams per liter (mg/l)], with the exception of dissolved copper (0.018 and 0.011 mg/l at two locations) and zinc (0.014 mg/l at two locations). When compared to the USEPA Region IX Maximum Contaminant Limits (MCLs) for drinking water, the above constituent detections were all below established limits.

9. Concrete removal and off-site disposal activities were performed as part of Permit-by-Rule closure activities described in the closure Certification and Report, dated 17 November 1997 for the fixed treatment unit formerly located in the plating area. Also, the plating equipment was removed and plating building demolished.

Masco Corporation has submitted the document entitled *Corrective Action Plan, Former Plating Area, Cal-Style Manufacturing Facility*, dated March 1998. This document includes an environmental and health-risk assessment of impacts in the former plating area, reviews corrective action alternatives to assure protection of underlying groundwater and the public health of future site occupants, recommends a corrective action program for the former plating area, and recommends a set of engineering and institutional risk management measures designed to protect public health and the environment. Engineering risk management measures include construction of a protective cover for soils impacted by metals to be managed-in-place at the Site, a rainfall runoff management plan, and a groundwater monitoring program. Institutional risk management measures include the filing of a deed restriction, the use of signs informing workers

of the presence of metal-impacted soil below the protective cover, and a protective cover maintenance program.

10. Regional Board staff has reviewed the Corrective Action Plan (CAP). On June 30, 1998, Regional Board staff visited the subject site and was informed by Preston Gaines of Geomatrix Consultants and Nancy Bice of GeoSyntec Consultants that Masco Corporation has chosen to prepare the former plating area for the concrete cap by grading the site and installing the rebar without prior concurrence from Regional Board staff. In preparing the area for the cap, the upper 1 to 2 feet of soil including the areas with elevated nickel and chromium concentrations was graded filling the former rinse pit where the rinse tanks were previously located. The completed site grading and placement of the rebar makes soil removal impractical at this time. Regional Board staff finds that the implemented interim measures and the additional institutional measures contained in the CAP are acceptable. However, Regional Board staff would have preferred removal of the upper 5 feet of soil with elevated metal concentrations to reduce the contaminant mass followed by capping, groundwater monitoring, and associated engineering and institutional controls for cleanup and abatement of releases to soil that potentially pose a threat to groundwater at the former plating area.

11. In order to evaluate the effectiveness of the implemented interim remedial measures in containing metal-impacted soil and to monitor the groundwater beneath the former plating area, the Regional Board finds it necessary to issue this Cleanup and Abatement Order (CAO). The Regional Board also finds that submittal of a Corrective Action Evaluation Report is appropriate after three years of Site management, or as required by the Executive Officer.

1. The Regional Board has not adopted any Orders for this Site. However, the Department of Toxic Substances Control (DTSC) has received the document entitled *Closure of Permit-by-Rule Fixed Treatment Unit*, dated 17 November 1997. Additionally, the DTSC has indicated that under Health & Safety Code Section 25200.14, Regional Board action under Section 13304 of the California Water Code may be used to regulate the discharges of metals to soil at this Site.

2. The Regional Board adopted a revised Water Quality Control Plan for the Los Angeles Basin on June 13, 1994. The Plan contains water quality objectives for groundwaters in the Coastal Plain of Los Angeles County where the facility is located. The requirements contained in this Order, as they are met, will be in conformance with the goals of the Water Quality

Control Plan. The potential beneficial uses of groundwater underlying and adjacent to the Site include:

a. Municipal and domestic water supply
b. Industrial process and service water supply
c. Agricultural water supply

3. SWRCB Resolution No. 68-16, *Statement of Policy with respect to Maintaining High Quality of Waters in California*, applies to this discharge and requires maintenance of background levels of water quality, or the highest level of water quality which is reasonably achievable if background levels of water quality cannot be maintained for any groundwater found to be a "Source of Drinking Water." Non-background cleanup levels must be consistent with the maximum benefit to the people of the state, not unreasonably affect present and anticipated beneficial uses of such water, and not result in exceedance of applicable water quality objectives. As discussed in Finding 8, no such exceedances currently exist in the first encountered groundwater, which currently is not being used as a source of drinking water.

4. SWRCB Resolution No. SWRCB 88-63, *Sources of Drinking Water*, define potential sources of drinking water to include all groundwaters within the region, with limited exceptions for areas of high total dissolved solids (TDS), low yield, or naturally-high contaminant levels. The Regional Board finds that additional investigation is appropriate to determine whether the groundwater encountered and sampled as discussed in Finding 8 is a potential source of drinking water as defined by the TDS, yield, or natural conditions.

5. SWRCB Resolution No. 92-49*, Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304*, applies to this discharge. This Order and its requirements are consistent with the provisions of Resolution No. 92-49, as amended.

6. The discharger may need to make assumptions about potentially applicable cleanup standards for soil and groundwater in order to determine the necessary extent of additional hydrogeologic investigations, sources of drinking water determinations, and any additional remedial actions including shallow soil removal should it become necessary to protect a source of drinking water. Pending the determination of additional

hydrogeologic and beneficial use investigations, the following preliminary cleanup goals must be used to protect the groundwater:

a. Groundwater that is a source of drinking water: Applicable water quality objectives (e.g., MCLs)

b. Soil: Management of soil containing elevated levels of metals and, based upon the effectiveness evaluation, assurances that effective containment of these metals in soil is occurring over time.

7. The discharger has caused or permitted waste to be discharged or deposited where it may be discharged to waters of the State and threatens to create a condition of pollution or nuisance.

8. Pursuant to Water Code Section 13304, the discharger is hereby notified that the Regional Board is entitled to, and may seek reimbursement for, all reasonable costs actually incurred by the Regional Board to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by this Order.

9. This action is an order to enforce the laws and regulations administered by the Regional Board. As such, this action is categorically exempt from the provisions of the CEQA pursuant to Section 15321 of the resources Agency Guidelines.

10. The Regional Board has notified the discharger, the DTSC, and all other interested agencies and persons of its intent under California Water Code Section 13304 to prescribe site cleanup requirements for the discharge, and has provided them with an opportunity to submit their written comments.

IT IS HEREBY ORDERED, pursuant to Section 13304 of the California Water Code, that the discharger, Cal-Style Furniture Manufacturing Company, (or their agents, successors, or assigns) shall cleanup and abate the effects described in the above findings as follows:

1. Submit a copy of a deed restriction for the former plating area acceptable to the Executive Officer by October 15, 1998.

2. Submit a technical report acceptable to the Executive Officer by October 30, 1998, that further describes the hydrogeologic conditions underlying the former plating area of the Site. This report shall include an assessment of the beneficial uses of the first groundwater, reported to have no metals above MCLs in a previous sampling event. This report shall also document the stratigraphic conditions below the first groundwater to identify the presence of confining geologic layers. Results of pump tests shall be included in this technical report. This report shall propose a series of monitoring wells located so as to be capable of detecting any migration to the groundwater of chemicals in soil at the former plating area.

3. Submit a technical report acceptable to the Executive Officer by November 15, 1998, that contains information concerning all water supply wells within one-half mile of the Site.

4. Submit a technical report acceptable to the Executive Officer by December 15, 1998 that documents implementation of the selected Corrective Action Alternative, Capping and Groundwater Monitoring, as outlined in the Corrective Action Plan, dated March 1998. This report shall document construction of a low-permeability concrete cap overlying metals-impacted soil in the former plating area and the installation and reporting of data from initial sampling of three groundwater wells.

5. Submit a technical report acceptable to the Executive Officer by September 15, 2001 that contains the results of at least three (3) years of water quality monitoring and an assessment of the effective containment of metal-impacted soil managed in-place at the Site. The report shall also include recommendations for further groundwater quality monitoring, soil monitoring, or closure, as appropriate. The discharger (or its agents, successors, or assigns) may request in the report, or subsequently, that the Regional Board agree to the removal of the deed restriction if the Regional Board finds that conditions at the Site no longer create a significant existing or potential hazard to public health or safety.

6. The storage, handling, treatment or disposal of polluted soil or groundwater shall not create a nuisance as defined in California Water Code section 13050(m), and unless otherwise approved by the Executive Officer, shall be disposed of at an approved off-site disposal facility.

7. The discharger shall maintain in good working order and operate as efficiently as possible any facility or control system installed to achieve compliance with the requirements of this Order.

8. The discharger shall comply with the Self-Monitoring program as issued by the Executive Officer upon review of the technical report prepared under Task 2 of this Order and as amended in writing by the Executive Officer.

9. All hydrogeologic documents (plans, specifications, and reports) shall be signed by and stamped with the seal of a California registered geologist, a California certified engineering geologist, or a California registered civil engineer.

10. All samples shall be analyzed by State-certified laboratories using approved EPA methods for the type of analysis to be performed. All laboratories shall maintain quality assurance/quality control (QA/QC) records for Regional Board review. This provision does not apply to analyses that can only reasonably be performed on-site (e.g., temperature).

11. Copies of all correspondence, technical reports, and other documents pertaining to compliance with this Order shall be provided to the California EPA Department of Toxic Substances Control.

12. As required by Section 13271 of the California Water Code; if any hazardous substance is discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, the discharger shall report such discharge to the Regional Board by calling (213) 266-7500 during regular office business hours (Monday through Friday, 8:00 a.m. to 5:00 p.m.).

    A written report shall be filed with the Regional Board within five working days. This report shall describe the nature of the hazardous substance, estimated quantity involved, duration of the incident, cause of the release, estimated size of affected area, nature of the effect, corrective actions taken or planned, schedule of corrective action planned, and persons/agencies notified.

    This reporting is in addition to reporting to the Office of Emergency Services required pursuant to the Health and Safety Code.

13. The discharger shall post and maintain signs acceptable to the Executive Officer advising workers and the general public of the presence of hazardous substances underneath the protective cover and the prohibition against breaching the cover without prior approval of the Regional Board. The discharger shall submit and adhere to a Health and Safety Plan acceptable to the Executive Officer prior to any proposed breach of the protective cover.

14. All rainfall runoff shall be diverted away from the protective cover at the former plating area, and directed to the appropriate storm drain system.

15. Abandonment of any groundwater well(s) at the site must be reported to the Executive Officer in advance when possible, but no later than 14 days after removal. Any groundwater well removed must be replaced within 3 months or an agreed upon time frame, at a location approved by the Executive Officer. With justification, the Executive Officer may approve the abandonment of groundwater wells without replacement. When a well is removed, all work shall be completed in accordance with all applicable well abandonment requirements.

16. All work performed pursuant to this Order shall be under the direction and supervision of a registered Civil Engineer of Geologist or a Certified Engineering Geologist. The Discharger's contractor or consultant shall have the technical expertise sufficient to adequately perform all aspects of the work for which they are responsible.

17. The Regional Board's authorized representative shall be allowed:

    a. Entry upon premises where a regulated facility or activity is located, conducted, or where records are kept, under the conditions of this Order;

    b. Access to copy any records that are kept under the conditions of this Order;

    c. To inspect any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and

d. To photograph, sample, and monitor for the purpose of assuring compliance with this Order, or as otherwise authorized by the California Water code.

18. Any investigation and cleanup and mitigation activities required by this Order, currently in progress or conducted in the past, shall be included and made a part of the cleanup program.

19. This Order is not intended to permit or allow the Discharger to cease any work required by any Order issued by this Regional Board, nor shall it be used as a reason to stop or redirect any investigation or mitigation activities not required by this Order or any other agency.

20. This Order in no way limits the authority of the Regional Board as contained in the California Water Code, to require additional investigation and cleanup pertinent to this project. It is the intent of this Regional Board to issue Waste Discharge Requirements or other Orders pursuant to Section 13260, Section 13304, and/or Section 13350 of the Water Code when appropriate to facilitate this cleanup and abatement activity. Additionally, continued monitoring of the groundwater quality beneath this facility after the completion of this cleanup and abatement activity may be required.

21. Provide to the Regional Board advance notice of any planned physical alterations to the facility or planned changes in the facility's activities that may affect compliance with this Order.

22. This Order does not exempt the Discharger from compliance with any other laws, regulations, or ordinances which may be applicable, nor does it legalize these waste treatment and disposal facilities and it leaves unaffected any further restraints on those facilities which may be contained in other statues or required by other agencies.

23. Provide to the Regional Board advance notice of any planned change in name, ownership, or control of the facility; provide notice to any succeeding owner or operator of the existence of this Order by letter; forward a copy of such notification to the Regional Board.

24. Pursuant to Section 13304 of the Water Code, the Discharger shall reimburse the SWRCB for all reasonable costs incurred by the State

Board and this Regional Board in overseeing the cleanup and abatement activities required by this Order.

25. This Order may be revised by the Regional Board through its Executive Officer as additional information on this site becomes available. Upon request by the Discharger, and for good cause shown the Executive Officer may defer, delete or extend the date of compliance for any action required of the Discharger under this Order. The authority of the Regional Board, as contained in the California Water code, to order investigation and cleanup additional to that described herein, is in no way limited by this Order.

26. The Executive Officer is authorized to take appropriate action as provided for in Sections 13268 and 13350 of the California Water Code against Cal-Style Furniture Manufacturing Company for any noncompliance with this Order including assessment of penalties in the amount of up to $5,000 dollars per day for each day on which any technical data requested by this Cleanup and Abatement Order is not submitted. In addition, failure to comply with the terms or conditions of this Order may result in the imposition of civil liabilities, judicially by the Superior Court, in accordance with Section 13350, et seq., of the California Water Code, and/or referral to the Attorney General of the State of California for such action as he may deem appropriate.

Hereby ordered on September 11, 1998.

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Dennis Dickerson
Executive Officer